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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,711	09/30/2003	Stephen R. Lawrence	60963-0014-US	8147
24341 7590 10/11/2007 MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			EXAMINER LU, CHARLES EDWARD	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/676,711		LAWRENCE, STEPHEN R.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Charles E. Lu		2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. This Action is in response to the Amendment dated 8/2/2007. Claims 1-58 are pending and rejected.

### ***Response to Arguments/Response to Amendments***

2. Amendments to the specification and claims were noted. The objection to the title, drawings, specification, and claims are withdrawn.

3. The 35 U.S.C. 101 rejection of the claims is withdrawn.

4. Applicant's arguments regarding the prior art rejections were fully considered but were not persuasive. Applicants argue the claims as amended.

Applicant argues on p. 17 of the Amendment that Breese does not teach or suggest "identifying a set of generic search results in response to a search query and then returning the same set of generic search results in different orders to different users who submit the same search query in accordance with their respective user profiles." The examiner respectfully disagrees.

Breese is drawn to performing a "conventional search operation" and then performing a "search result post processing" (col. 6, ll. 60-65) on the search results. The results from the "conventional search operation" (fig. 2A, #131) meets the claimed limitation "generic search results in response to a search query" because the conventional search results are not yet "personalized" according to the user. Breese's "post processing" is the step that "personalizes" the order of the set of "generic" results

based on user information to produce a personalized search result (e.g., fig. 2C, #231, col. 6, ll. 65-67, col. 7, ll. 30-35, col. 9, ll. 1-4, col. 12, ll. 32-42). The added limitation of "different users...same query" does not overcome the prior art because Breese deals with multiple users (fig. 5), each with his own user profile (#224, #500). Thus, when a different user enters the same search query, Breese will still process a generic set of results as explained above, and then post-process using that user's profile (#234) to re-rank the search results. This interpretation will be used to apply Breese to the amended claims.

Applicant argues on p. 17 that neither Breese nor the other cited prior art teach the above features. The examiner respectfully disagrees because Breese teaches the features.

Applicant argues on p. 18 that neither Breese nor the other cited prior art teach or suggest, "generating a personalized query strategy," and "selecting a personalized set of documents according to the personalized query strategy." The examiner respectfully disagrees for the same reasons as explained above. The personalized post-processing of Breese is a personalized query strategy that selects a personalized set of documents.

The new grounds of rejection presented below are necessitated by Applicant's amendment.

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**5. Claims 1, 16, 27, 41, 43, and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Breese et al (U.S. Patent 6,006,218), hereafter "Breese."**

**As to claim 1**, Breese teaches the following claimed subject matter:

A method of personalizing search results of a search engine, comprising:  
accessing a first user profile for a first user based on information about the first user (fig. 2B, #224, fig. 5, #500, col. 5, ll. 20-45),

The first user information including information derived from a first set of documents (col. 5, ll. 20-45),

The first set of documents comprising a plurality of documents selected from the set consisting of documents identified by search results from the search engine, documents accessed by the first user, documents linked to the documents identified by search results from the search engine, and documents linked to the documents accessed by the first user (col. 5, ll. 20-45);

Receiving a search query from the first user (col. 6, ll. 60-65);

Identifying a set of generic search result documents that match the search query (fig. 2C, #230-231);

Assigning a generic score to each document of at least a plurality of the search result documents (col. 7, ll. 18-45);

Assigning a first personalized score to each document of the plurality of search result documents in accordance with the generic score assigned to the document and the first user profile (col. 7, ll. 18-45, details on col. 8-17);

Ranking the set of search result documents into a first order according to their first personalized scores (col. 7, ll. 18-45, details on col. 8-17).

Providing the ranked set of search result documents into a first order to the first user (e.g., fig. 2C, #236).

As to "receiving a search query from a second user that is different from the first user...accessing a second user profile...assigning a second personalized score...ranking the set of search results...and providing the ranked set of search results," Breese teaches the claimed subject matter because Breese deals with multiple users (fig. 5, #500), each with his own user profile (e.g., #224, #500). Thus, when a different user enters the same search query, Breese will still process a generic set of results as explained above, and then post-process using that user's profile (fig. 2C, #234) to re-rank the search results. See above.

**As to claim 16**, Breese further teaches wherein the first user profile is stored on a first client associated with the first user and the second user profile is stored on a second client associated with the second user (col. 4, l. 62, col. 5, ll. 1-2).

**Claims 27, 41, 43 and 57** are rejected on the same basis as the above claims.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**6. Claims 2-3, 18, 22, 24, 28-29 and 44-45 are rejected under 35 U.S.C.**

**103(a) as being unpatentable over Breese.**

**As to claims 2 and 3**, Breese does not expressly teach wherein the first set of documents includes a plurality of documents that have been identified by search results from the search engine and that have/have not been viewed by the first user.

However, Breese teaches that the user information includes previous search information (col. 5, ll. 30-33, col. 16, l. 40) and that the search information may include information on the entries that were presented to the user as a result of the search (i.e. search results). Furthermore, Breese states, "it may be assumed that the user is aware of these entries, or at least the highest ranked entries (col. 16, ll. 34-50)." The user information includes information on previous Internet site access operations (col. 5, ll. 30-35). Thus, Breese suggests that the user may have actually viewed the information because the information was presented to the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese with the above, such that "wherein the set of documents include a plurality of documents that have been identified by search results from the search engine and that have/have not been viewed by the user" is implemented. The motivation would have been to enhance the effectiveness of the retrieval result adjustor, because data regarding actual document views would be used.

**As to claim 18**, Breese teaches the following claimed subject matter:

A method of personalizing search results of a search engine, comprising:  
creating a plurality of user profiles for a plurality of users, each user profile including at least a user's identification number and information derived from documents visited by the user (col. 5, ll. 20-45);

Receiving a search query from a user of the plurality of users, the search query including at least one query term (e.g., col. 8, ll. 62-66).

Retrieving a user profile that matches the user's identification number (e.g., col. 5, ll. 25-30, col. 8, ll. 29-31);

Selecting a personalized set of documents from the Internet, according to the personalized query strategy, each document having a generic ranking score based at least in part on the relevance of the document to the search query, assigning to each document in the set a personalized ranking score based at least in part on the user profile and the document's generic ranking score (discussed above);

Ranking the set of documents according to their generic and personalized ranking scores and providing the ranked set of search result documents to the user (see above).

Breese does not expressly teach the search query including the user's identification number.

However, Breese teaches that a user has a unique identification number for storing user attributes in a user database (col. 5, ll. 20-45), and that information regarding the user and the search to be performed is obtained at the input step 222 (col. 8, ll. 15-20, #224).



Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese, such that the search query includes the user's identification number in the input step. The motivation would have been to adapt to specific user requirements in setting up the search engine. For example, one may send the identification with the query to facilitate efficient processing.

**As to claim 22**, Breese as applied above further teaches wherein the documents visited by the user from which information is derived for use in a particular user's user profile is selected based on the user's activities when visiting the documents (e.g., col. 5, ll. 20-45).

**As to claim 24**, see above for claim 16.

**Claims 28-29 and 44-45** are rejected on the same basis as the above claims.

**7. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breese, in view of Gerace (U.S. Patent 5,848,396).**

**As to claim 21**, Breese teaches wherein the user profile includes demographic information provided by the user (fig. 5).

Breese does not expressly teach geographic information.

However, Gerace teaches a user profile including both demographic and geographic information (col. 5, l. 63 – col. 6, l. 15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese, such that geographic information is additionally stored with the user profile. The motivation would have been to store more

information about the user to facilitate better decisions by the information retrieval system.

**8. Claim 4-7, 9-15, 17, 19-20, 23, 30-33, 35-40, 42, 46-49, 51-56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breese in view of Konig et al (U.S. Patent 6,981,040), hereafter Konig.**

As to claims 4-5 and 14, Breese does not expressly teach updating the user profile by updating a term-based profile of the first user profile by identifying a set of terms from a document in the first set of documents, and adding information about the identified set of terms to the term-based profile; and updating a category-based profile of the first user profile by classifying the document into a plurality of categories, and adding information about the plurality of categories to the category-based profile; and updating a link-based profile of the first user profile by analyzing links in the document, and adding information derived from the analyzed links to the link-based profile.

However, Konig teaches updating a term-based, and category-based profile for a user as claimed (col. fig. 4A, fig. 4C, col. 10, l. 51, col. 12, l. 55). Furthermore, Konig teaches analyzing links and locations in documents for updating a user model (user topic distribution, user site distribution, and see fig. 13, fig. 4, fig. 15A, col. 17, l. 47, col. 15, ll. 8-15, col. 18, ll. 17-25, col. 22, l. 64 – col. 23, l. 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese, such that the claimed updating of the term-based, category-based, and link-based profiles is implemented with appropriate weights associated with each item (see e.g., fig. 4). The motivation would have been to

represent user interest in a document or product independently of any specific user information need, as taught by Konig (col. 4, ll. 1-7). This would further enhance search results when combined with Breese.

**As to claim 6**, Konig as applied above further teaches wherein the link-based profile includes information about URLs or portions of URLs (fig. 4).

**As to claim 7**, Konig as applied above further teaches or suggests wherein the link-based profile of the first user profile comprises a plurality of URLs and a weight associated with each URL, wherein the weight is based on one or more factors selected from the group consisting of frequency with which the first user visits the URL, time the first user has spent viewing a document associated with the URL and quantity of the first user's scrolling activity at the document; and a plurality of hosts and a weight associated with each host, wherein the weight is based on frequency of the first user's visits to the host (col. 12, ll. 28-54, col. 23, ll. 1-10).

**As to claim 9**, Konig as applied above further teaches wherein a term in the term-based profile is an expression comprising at least one word and a weight (fig. 4A).

**As to claim 10**, Konig as applied above further teaches wherein the weight is a weight associated with occurrences of the term in the first set of documents (fig. 4, col. 10, l. 52 – col. 12, l. 55).

**As to claim 11**, Konig as applied above further teaches wherein the weight of a term depends at least partially on the term's term frequency and inverse document frequency in said first set of documents (col. 10, l. 52 – col. 11, l. 20).

**As to claim 12**, König as applied above further teaches wherein a category in the category-based profile characterizes at least one aspect of documents in the category and the category is associated with a weight indicative of the category's importance relative to other categories (fig. 4, 7, 8, col. 15, ll. 7-32).

**As to claim 13**, König as applied above further teaches wherein the at least one aspect of the documents in the category is selected from the group consisting of: document format, document type, document topic and document origin (e.g., col. 15, ll. 7-15 and see above).

**As to claim 15**, Breese discloses a first and second user profile and a search engine (fig. 1, 5), but does not expressly teach wherein the user profiles are stored on a server of the search engine.

However, König teaches wherein user profiles are stored on a server of the search engine (fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese, such that the user profiles are stored on a server of the search engine. The motivation would have been to adapt to the requirements of the user in setting up the search system, or to provide personalized services for simultaneous clients, as taught by König (col. 7, ll. 20-25).

**As to claim 17**, Breese does not expressly teach wherein the first user profile corresponds to a respective a group of users.

However, König teaches wherein a user is a group of users (col. 20, ll. 24-28, col. 9, ll. 47-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese, such that the first user is a group of users. The motivation would have been to represent the interest level of a group of users in a document independently of any specific information need, as taught by Konig (col. 9, ll. 47-52).

**Claims 19-20** are drawn to substantially the same subject matter as claims 4-5, discussed above, in addition to creating, which must happen in Konig in order to store the relevant data (see e.g., fig. 4).

**As to claim 23**, the "storing" limitation is addressed with respect to claim 15 above. Breese, as applied above, further teaches the retrieving including the user's user profile based on an identification number associated with the user and the user's profile (col. 5, ll. 23-30). Note that Breese must retrieve the data in order to process it.

**Claims 30-33, 35-40, 42, 46-49, and 51-56 and 58** are rejected on the same basis as the above claims.

**9. Claims 8, 34, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breese, in view of Konig, further in view of Gabriel et al (U.S. Patent 6,584,468), hereafter "Gabriel."**

**As to claim 8**, Breese and Konig do not expressly teach wherein the URLs further include URLs that have not been visited by the first user, but are related to the URLs that have been visited by the first user and the weight of an unvisited URL depends on its distance to at least one related URLs that have been visited.

However, Gabriel teaches wherein URLs include URLs that have not been visited by a user but are related to URLs visited by a user, and the weight of an unvisited URL depends on its distance to at least one related URLs that have been visited (col. 7, l. 37 – col. 9, l. 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese and Konig, such that the above claimed subject matter is implemented. The motivation would have been to facilitate indexing relevant information, as taught throughout Gabriel (e.g., Abstract, col. 7, ll. 37-40, col. 2, ll. 34-46).

**Claims 34 and 50** are rejected on the same basis as claim 8, discussed above.

**10. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breese, in view of Konig, further in view of Dumais et al (US 2004/0267700), hereafter “Dumais.”**

**As to claims 25-26**, Breese as applied above further teaches wherein the ranked set of documents comprises a personalized subset of documents ordered by personalized scores and the other subset ordered by the generic ranking scores (col. 7, ll. 33-36, fig. 2C). Furthermore, Breese teaches a set of documents ordered by their generic scores (see above).

Breese and Konig do not expressly teach the ranked set of documents comprising the above two sets of documents, and interleaving the two sets to form the ranked set of documents.

However, Dumais teaches interleaving results from a personal search engine and other search results for presenting to the user (para. 0029).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Breese and Konig with the above, such that the ranked set of documents comprises the above two sets of documents, and the two sets are interleaved to form the ranked set of documents. The motivation would have been to create a personal browsing system to be a portal to all of a user's content, including personal information as well as more general resources, as taught by Dumais (para. 0029).

***Conclusion***

Applicant's arguments were fully considered but were not persuasive. Furthermore, Applicant's amendment necessitates new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

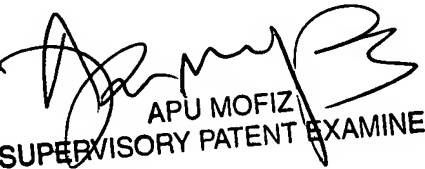
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Lu whose telephone number is (571) 272-8594. The examiner can normally be reached on 8:30 - 5:00; M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached at (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2161

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10/9/2007